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EXAMINER

KAZMI, OMAR A

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 03/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/342,765

Applicant(s)

MATZ ET AL.

Examiner

Omar Kazmi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 13 January 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

Applicant's amendment to the title, drawings and specification are acknowledged.

Consequently, objection to the specification and drawings are withdrawn.

1. Applicant's arguments with respect to claims 1-20 have been fully considered but are moot in view of the new ground(s) of rejection presented in this Office Action.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claim 20 is rejected under 35 U.S.C. 102(e) as being anticipated by Pleyer, US Patent Number 6,188,401. Pleyer teaches an article including one or more machine-readable storage media storing instructions for presenting audio/video data, the instructions are executed causing a system to generate an interface, wherein the interface is created by a scripted markup language

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file. Pleyer teaches this on Col. 1, lines 64-67: "... the user interface is implemented using individual HTML (hypertext markup language) components in conjunction with a global script written in a popular scripting language such as JavaScript. Pleyer also teaches a manner to receive multimedia data from a source and display information associated with the multimedia data in the interface of the browser as described in Col. 6, lines 26-34, where the multimedia data in the form of video content is downloaded and displayed in a browser instance. Pleyer also teaches this in Col. 3, lines 30-39.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 5-7, 9-14, and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Judson, US Patent Number 5,572,643 and Pleyer, US Patent Number 6,188,401. Regarding claim 1, in his invention, Judson teaches us in the abstract that his invention provides a "... method of browsing the Worldwide Web of the Internet using an HTML-compliant client supporting a graphical user interface and a browser". The abstract discloses that the a system comprised of a browser having a user interface as well as a markup language, in this case HTML or Hypertext Markup Language. Similarly, Judson also teaches that his system is capable of displaying information objects which includes "...any and all forms of messages, notices, text, graphics, sound, video, tables, diagrams, applets and other content, and combinations of any of the above" as stated on Col. 7 lines 41-44, analogous to the claim's

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reference to multimedia data. Finally, Judson makes mention of script handler as mentioned as “support for platform-independent object (e.g. applets written in JavaScript, from Sun Microsystems)” on Col. 8, lines 1-2, analogous to the claimed invention’s reference to a script handler. However, while Judson teaches a source containing multimedia, a browser having a user interface and a script handler that is executable, he fails to explicitly teach that the script handler executable can process multimedia data received from the source of the presentation. However, Pleyer teaches a script handler executable to process multimedia data from the source for presentation to the computer interface, such as a browser interface. As Pleyer describes in the invention a method of using a global script to “to create appropriate user interface displays in response to system events. Pleyer also teaches that the user interface is implement using “In particular, the user interface is implemented using individual HTML (hypertext markup language) components in conjunction with a global script written in a popular scripting language such as JavaScript” as described in the last 4 lines of column 1. Furthermore, Pleyer teaches that a global script 106 as seen in figure 3 as well as on Col. 7, lines 14-25 that the web browser uses JavaScript at run time. JavaScript is also discussed on Col. 4, lines 12-16, where it is clear that it is used for multimedia data to be presented within a web browser environment. It is evident that the script handler is used to create a user interface in a browser, where a scripted markup language file creates the interface. Thus, it would have been obvious to one of ordinary skill in the art to modify the system comprising a source containing multimedia data and a browser having a user interface, along with a markup language file associated with a script handler of Judson to include the script handler executable used to process multimedia data received from a source for presentation within a web browser of Pleyer to obtain a system comprising a source

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containing multimedia data and a browser having a user interface, along with a markup language file associated with a script handler executable, used to process multimedia data received from a source for presentation within a web browser. One of ordinary skill in the art would have been motivated to modify the system comprising a source containing multimedia data and a browser having a user interface, along with a markup language file associated with a script handler of Judson to include the script handler executable used to process multimedia data received from a source for presentation within a web browser of Pleyer in order to provide dynamic content control of multimedia files within a web browser interface.

Regarding claim 2, with respect to claim 1 above, Judson discloses the web browser system as described in claim 1 above wherein the system makes use of a markup language file in the form of Hypertext Markup Language file or HTML where the system consists of "...conventional HTML and enhancements thereto..." as mentioned in Col. 7, line 61.

Regarding claim 3, with respect to claim 1 above, Judson discloses a web browser system described in claim 1 above wherein the source of multimedia data for the web browser system includes a compact disc drive, mentioned as part of the system: "The CD ROM 42, also coupled to the system bus 131, is used to store a large amount of data..." (Col. 4, lines 22-23)

Regarding claims 5, 6, and 7, while Judson and Pleyer teach a web browsing system as described in claim 1, they fail to explicitly teach the use of a control module adapted to provide an interface to the source, wherein the control module includes an ActiveX component that is capable of interfacing with a browser. However, Pleyer teaches control module adapted to provide an interface to the multimedia source source through an ActiveX component as described on Col. 6, lines 26-35. It is clear that a control module is adapted to the provided to an

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interface to the source, where the control module includes an ActiveX component. It is also clear that the ActiveX component is capable of interfacing with the browser, as described above. Thus, it would have been obvious to one of ordinary skill in the art to modify the web browser system of Judson and Pleyer to include the ActiveX control component that interfaces with a web browser of Pleyer to obtain a web browsing system that includes an ActiveX control component that interfaces with a web browser. One of ordinary skill in the art would have been motivated to modify the web browsing system of Judson and Pleyer to include the ActiveX control component that interfaces with a web browser in order to provide a dynamic manner to view video content that can be download as Web content or obtained locally.

Regarding claim 9, Judson discloses in his web browser system that it is capable of displaying information associated with multimedia information within the user interface. In figure 5 of Judson, the browser system displays information associated with an image file being transmitted (as seen on the bottom of the browser interface) in this case the number of bytes associated with the multimedia file: "Transferred 6656/18318 bytes (36%) of inline image lehman4.gif". Thus, claim 9 is rejected as being anticipated by Judson.

Regarding claim 10, Judson teaches a web browsing system comprising a source containing audio/video data, a browser having a user interface and a file associated with predetermined instructions. Judson first teaches a source containing audio/video data, where these sources are taught in the form of information objects, as described in Col. 7, lines 39-44. Next, Judson also discloses a web browser having a user interface, as seen in Figures 4 & 5 as well as described on Col. 6, lines 13-24. Finally, Judson teaches a file associated with predetermined instructions, in the form of an HTML file, as described in the abstract as well as

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described on Col. 3, lines 58 to Col. 4 line 4 as well as Col. 5, lines 17-40. Judson teaches that the HTML file has predetermined instructions to provide documents with formatting and connection to links to other servers and files and it is clear that the file is loadable by the browser. However, while Judson teaches this, he fails to explicitly teach have the instructions executable to display information associated with audio/video data in the source. Pleyer, however, teaches in his invention instruction to display information associated with audio/video data in the source. Pleyer describes on Col. 1, lines 64-67 that the user interface uses a web browser architecture in implement "individual HTML (hypertext markup language) components in conjunction with a global script written in a popular scripting language such as JavaScript." Furthermore, Pleyer estates that JavaScript can allow designer to multimedia and animation as described in Col. 4, lines 12-16. This is further described in Col. 3, lines 48-56 where the target of hyperlink can include audio segments and in Col. 6, lines 26-24, where video content can be viewed using a browser instance. Thus, it would have been obvious to one of ordinary skill in the art to modify the web browsing system of Judson and Pleyer to include the ability for a file with predetermined instruction to display information associated with audio/video data in the source of Pleyer to obtain a web browsing system with the ability for a file with predetermined instructions to display information associated with audio/video data in the source. One of ordinary skill in the art would have been motivated to modify the web browsing system of Judson and Pleyer to include the predetermined instructions to display information associated with audio/video data in the source in order to provide a manner to view audio/video data and information associated with it within a web browser.



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Regarding claim 11, with respect to claim 10 above, Judson discloses a method used to display information regarding the status of a source. As mentioned in the rejection of claim 9 above, Judson describes a web browser system capable of displaying information including the status of the multimedia data source. In figure 5 of Judson, the browser system described displays information associated the status of the image file being transmitted (as seen on the bottom of the browser interface) in this case the number of bytes associated with the multimedia file: "Transferred 6656/18318 bytes (36%) of inline image lehman4.gif".

6. Regarding claim 12, Judson discloses a method for displaying information associated with multimedia data in his browser system. Judson discloses a system comprised of a browser having a user interface as well as a markup language, in this case HTML and it is clear that the markup language file is loaded by the web browser system (see Judson abstract). Similarly, Judson also teaches that the information objects disclosed in his invention include "...any and all forms of messages, notices, text, graphics, sound, video, tables, diagrams, applets and other content, and combinations of any of the above" as stated on Col. 7 lines 41-44, analogous to the proposed invention's reference to multimedia data. Next, Judson mentions the use of a script handler in the form of "...support for platform-independent object (e.g. applets written in JavaScript, from Sun Microsystems)" on Col. 8, lines 1-2, analogous to the claimed invention's reference to a script handler. Finally, regarding the display of information associated with multimedia data, as seen the rejection of claim 9 above, Judson describes a web browser system capable of displaying information including the status of the multimedia data source. In figure 5 of Judson, the browser system displays information associated the status of the image file being transmitted (as seen on the bottom of the browser interface) in this case the number of bytes

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associated with the multimedia file: "Transferred 6656/18318 bytes (36%) of inline image lehman4.gif". However, while Judson teaches this, he fails to explicitly teach loading a markup language associated with a script handler, as well as invoking a script handler to create a user interface in a browser. However, Pleyer teaches both of these as described in his invention. First, it is clear that the markup language file is loaded in a web browser, as described in Col .1, lines 60-65, and Pleyer also indicates the user interface is implemented using HTML files or markup language files "in conjunction" or associated with a script handler such as JavaScript. Thus, it would have been obvious to one of ordinary skill in the art to modify the web browsing system of Judson to include the script handler used to create a user interface within a browser, where a markup language file would be loaded with an associate script handler of Pleyer to obtain a web browsing system with a script handler used to create a user interface within a browser, where a markup language file would be loaded with an associated script handler. One of ordinary skill in the art would have been motivated to modify the web browsing system of Judson to include the script handler used to create a user interface within a browser, where a markup language file would be loaded with an associate script handler of Pleyer in order to provide a web browsing system where multimedia as well as a user interface within a web browser, enabling the user to view relevant multimedia data and associated information based upon dynamic scripting of the user interface at browser runtime.

Regarding claims 13 and 14, while Judson and Pleyer teach a web browsing system as described in claim 12 above, they fail to explicitly teach accessing media data stored in a storage source through an ActiveX control module. However, Pleyer teaches this on Col.6, lines 26-34, where media data such as video content stored in a storage source is accessed using an ActiveX

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component. Thus, it would have been obvious to one of ordinary skill in the art to modify the web browsing system of Judson and Pleyer to include the ActiveX control module component used to access multimedia data of Pleyer to obtain a web browsing system with an ActiveX control module component used to access multimedia data. One of ordinary skill in the art would have been motivated to modify the web browsing system of Judson and Pleyer to include the ActiveX control module component with access to multimedia data of Pleyer to obtain a system of web browsing that allowed dynamic access to multimedia data such as video content through a web browser.

Regarding claim 16, with respect to claim 12 above, it is clear that Judson teaches a method of displaying multimedia data such as text, images and video as described in Col. 7, lines 18-25 and 39-44, comprising, loading a markup language file into a browser, as described in the abstract as well as Col. 5, lines 45-49 & Col. 3, lines 60-66, and receiving multimedia data from a source, in the form of an information object also described in Col. 3, lines 60-66. However, while Judson teaches this, he fails to explicitly teach creating an interfaced in the browser based on instructions associated with the file and displaying information associated with the multimedia data in the browser interface. Pleyer, however, teaches this in his invention, where he teaches of a script associated with a file in browser used to create an interface of a browser as described in Col. 1, lines 64-67. Also, Pleyer teaches displaying information associated with multimedia data in the browser interface as described on Col. 4, lines 12-16 and Col. 6, lines 26-34. Thus, it would have been obvious to one of ordinary skill in the art to modify the web browsing system of Judson to include the ability to create an interface in a browser based upon HTML and JavaScript instructions and displaying information associated with multimedia data

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in the browser interface to obtain a web browser with the ability to create an interface within a browser based upon HTML and JavaScript instructions as well as display information associated with multimedia data in the browser.

Regarding claim 17, with respect to claim 16 above, Judson discloses the web browser system as described in claim 1 above wherein the system makes use of a markup language file in the form of Hypertext Markup Language file or HTML where the system consists of "...conventional HTML and enhancements thereto..." as mentioned in Col. 7, line 61.

Regarding claims 18 and 19, while Judson and Pleyer teach a web browsing system as described in claim 16 above, they fail to explicitly teach accessing media data stored in a storage source through an ActiveX control module component. However, Pleyer teaches this on Col.6, lines 26-34, where media data such as video content stored in a storage source is accessed using an ActiveX component. Thus, it would have been obvious to one of ordinary skill in the art to modify the web browsing system of Judson and Pleyer to include the ActiveX control module component used to access multimedia data of Pleyer to obtain a web browsing system with an ActiveX control module component used to access multimedia data. One of ordinary skill in the art would have been motivated to modify the web browsing system of Judson and Pleyer to include the ActiveX control module component with access to multimedia data of Pleyer to obtain a system of web browsing that allowed dynamic access to multimedia data such as video content through a web browser.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Judson and Pleyer. Regarding claim 4, while Judson and Pleyer mentions a web browser system similar in scope to claim 1, Judson does not explicitly mention making use of a digital video disc drive with the web

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browser system mentioned in claim 1. However, from Judson's invention it can be construed that his web browser system is used to open video, regardless of the medium on which the source file is located on, as long as it would allow for the "... 'information' [to be] output[ted] to the viewer ... cover[ing] all and any forms of messages, notices, text, graphics, sound, video, diagrams, applets and other content..." as previously mentioned on Col. 7, lines 39-44. Since digital video disk drive technology is notoriously well-known in the state of the art and its use is commonplace in most computing systems today, the examiner takes OFFICIAL NOTICE of the fact that this technology is well-known by one of ordinary skill in the art. It would have been obvious to one skilled in the art to the web browser of Judson and Pleyer to include access to a digital video disk to obtain a web browser with access to multimedia data through a digital video disk. One skilled in the art would have been motivated to make use digital video disc drive as a source of multimedia output data to a web browser because a digital video disc drive provides larger capacity to store and retrieve multimedia data than the capacity provided by a compact disc drive.

8. Claims 8 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Judson, Pleyer, and Lindblad et al, Patent Number 6,225,993, hereinafter referred to as Lindblad.

Regarding claim 8, while Judson and Pleyer discloses a web browser system as mentioned in claim 8, Judson does not explicitly mention the user interface control components in the user interface of a web browser system, where a script handler responds to the activation of that particular user interface control component activation. Lindblad discloses a user interface control components including those used to control video bit stream as those described on col. 7, line 15-17 as "... virtual buttons, pull-down menus, virtual radio buttons, virtual check boxes and sliding

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scroll bars". It is clear that these control components receive interaction as described in Col. 3, lines 24-35 and it is clear that an underlying script handler would be triggered in order to respond to the activation of the user interface control components. It would have been obvious to one skilled in the art to combine the web browser system described above along with the user interface control components to obtain the proposed invention described in claim 8. One of ordinary skill in the art would have been motivated combine the user interface control components with script handler into the web browser invention in order to provide the user with a means to interact with the multimedia player such as pausing or playing the multimedia data. Thus, Claim 8 is rejected as the user interface includes control components which triggers the execution of a script handler based up the activation of a user interface control component.

Regarding claim 15, as noted in claim 12 above, Judson and Pleyer discloses a web browser system where the system allows access to information associated with multimedia data but does not explicitly mention user interface control components in the user interface of a web browser system with the ability to respond to the activation of a particular user interface control component. Lindblad discloses a user interface control components including those used to control video bit stream as those described on col. 7, line 15-17 as "...virtual buttons, pull-down menus, virtual radio buttons, virtual check boxes and sliding scroll bars"; it is also clear that these control components control a source containing the multimedia data, such as controlling the video bit stream of the video data file as described in Col. 3, lines 24-35. It would have been obvious to one skilled in the art to modify the web browser system of Judson and Pleyer to include user interface control components of Lindblad to obtain a web browser system including one or more control components, further comprising receiving activation of user interface control

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One of ordinary skill in the art would have been motivated combine the user interface control components with script handler into the web browser invention in order to provide the user with a means to interact with the multimedia player such as pausing or playing the multimedia data. Thus, Claim 15 is rejected as the user interface includes control components which triggers the execution of a script handler based up the activation of a user interface control component.

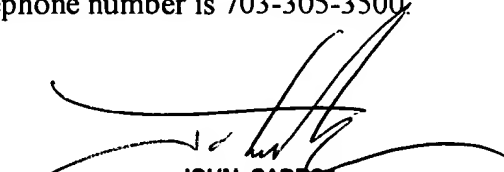
### *Conclusion*

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach a DVD browser program that allows a user to display images extracted from a DVD over a network (Dinallo et al.) as well as other patent that teach an executable script markup language used to present audio/video and other multimedia within a web browser.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omar Kazmi whose telephone number is 703-305-4894. The examiner can normally be reached on Monday - Friday 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on 703-308-3116. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3500.



JOHN CABECA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 210

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March 17, 2003